♣ A ∩ 440	(Rev	8/01) Summ	ons in a	Civil	Action

United States District Cou	URT	$\mathbf{Co}$	DISTRICT	STATES	UNITED	1
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Southern

District of

RICHARD FEINER AND CO., INC.,

Plaintiff,

SUMMONS IN A CIVIL ACTION

V.

THE NEW YORK TIMES COMPANY, PHOTOFEST, INC. and HOWARD MANDELBAUM,

CASE NUMBER:

Defendants.

07 CV 11218

TO: (Name and address of Defendant)

The New York Times Company 620 Eighth Avenue New York, NY 10018

Photofest, Inc. and Howard Mandelbaum 32 East 31st Street, 5th Floor New York, NY 10016

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Gregory A. Sioris 350 Fifth Avenue, Suite 7606 New York, NY 10118-7606 (212)840 - 2644

20 an answer to the complaint which is served on you with this summons, within \_ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

## J. MICHAEL McMAHON

DEC 1 3 2007

DATE

UNITED STATES DISTRICT COURT/SOUTHERN DISTRICT OF NEW	W YORK	Attorney:	<b>GREGORY A SIORIS - 1295</b>
RICHARD FEINER AND CO. INC.		•	Index #: 07 CV 11218
	Plaintiff(s)		
- aça ns:: -			Date Filed:
THE NEW YORK TIMES COMPANY, PHOTOFEST, INC. AND HOWARD MANDELBAUM			AFFIDAVIT OF SERVICE
Defendant(s			

BYRAN E. MCELDERRY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on January 28, 2008 at 03:00 PM at

620 EIGHTH AVENUE NEW YORK, NY10018

deponent served the within true copy of the SUMMONS & COMPLAINT & JUDGE'S RULES on THE NEW YORK TIMES COMPANY, the defendant/respondent therein named.

CORPORATION by delivering thereat a true copy of each to MS. ELLEN HERTZ personally, deponent knew said corporation so served to be the corporation described in said SUMMONS & COMPLAINT & JUDGE'S RULES as said defendant/respondent and knew said individual to be the GENERAL AGENT thereof.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Calor	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
FEMALE	WHITE	BROWN	48	5'4	145

Sworn to me on: January 29, 2008

Linda Forman Notary Public, State of New York No. 01FO5031305 Qualified in New York County Commission Expires August 1, 2010 Robin M. Forman Notary Public, State of New York No. 01FO6125415 Qualified in New York County Commission Expires April 18, 2009

Larry Yee Notary Public, State of New York No. 01YE5015682 Qualified in New York County Commission Expires July 26, 2009

BYBAN E. MCELDERRY License #: 869802

UNITED STATES DISTRICT COURT/SOUTHERN DISTRICT OF I	NEW YORK Attorn	ey: GREGORY A SIORIS - 1295
RICHARD FEINER AND CO. INC.		Index #: 07 CV 11218
	Plaintiff(s)	
- against -		Date Filed:
THE NEW YORK TIMES COMPANY, PHOTOFEST, INC. AND HOMANDELBAUM	OWARD	AFFIDAVIT OF SERVICE
IVIANDELBAUW	Defendant(s)	

BYRAN E. MCELDERRY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on January 17, 2008 at 04:00 PM at

32 EAST 31ST STREET, SUITE # 5A NEW YORK, NY10016

deponent served the within true copy of the SUIMMONS & COMPLAINT & JUDGE'S RULES on PHOTOFEST, INC., the defendant/respondent therein named,

CORPORATION by delivering thereat a true copy of each to MR. HOWARD MANDELBAUM personally, deponent knew said corporation so served to be the corporation described in said SUMMONS & COMPLAINT & JUDGE'S RULES as said defendant/respondent and knew said individual to be the GENERAL AGENT thereof.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
MALE	WHITE	GREY/BLACK	48	5'6	150

Sworn to me on: January 18, 2008

to the said and added in

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TALL THE THE LINE

BYFAN E. MCELDERRY License #: 869802

UNITED STATES DISTRICT COURT/SOUTHERN DISTRICT-OF NEW YORK	Attornev	: GREGORY A SIORIS -	· 1295
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RICHARD FEINER AND CO. INC.

Index #: 07 CV 11218

Plaintiff(s)

- aga ns:: -

Date Filed:

THE NEW YORK TIMES COMPANY, PHOTOFEST, INC. AND HOWARD **MANDELBAUM** 

AFFIDAVIT OF SERVICE

Defendant(s)

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

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**INDIVIDUAL** 

by delivering a true copy c<sup>-</sup> each to said defendant/respondent personally; deponent knew the person so served to be the person described as the defendant/respondent therein and he identified himself as such.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
MALE	WHITE	GREY/BLACK	48	5'6	150

## **MILITARY SERVICE**

Person spoken to was asked whether the defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the defendant/respondent in this action.

Sworn to me on: January 18, 2008

Linda Forman Notary Public, State of New York No. 01FO5031305 Qualified in New York County Commission Expires August 1, 2010 Robin Ivi. -orman Notary Public, State of New York No. 01=O3125415 Qualified in New York County Commission Expires April 18,

Larry Yee Notary Public, State of New York No. 01YE5015682 Qualified in New York County Commission Expires July 26, 2009

BYRAN E. MCELDERRY License #: 869802

Docket #: 536129

CONTRACTOR SERVICES

SAO 440 (Rev. 8/01) Summons in a Civil Action UNITED STATES DISTRICT COURT Southern District of RICHARD FEINER AND CO., INC., Plaintiff, SUMMONS IN A CIVIL ACTION V. THE NEW YORK TIMES COMPANY, PHOTOFEST, INC. and CASE NUMBER: HOWARD MANDELBAUM, 07 CV 11218 Defendants. TO: (Name and address of Defendant) Photofest, Inc. and The New York Times Company Howard Mandelbaum 620 Eighth Avenue 32 East 31st Street, 5th Floor New York, NY 10018 New York, NY 10016 YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address) Gregory A. Sioris 350 Fifth Avenue, Suite 7606 New York, NY 10118-7606 (212)840 - 2644an answer to the complaint which is served on you with this summons, within  $\underline{\ }$ 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service. DEC 1 3 2007 J. MICHAEL McMAHON DATE

UNITED STATES DISTRICT COURT/SOUTHERN DISTRICT OF NEW Y	YORK Atto	rney: GREGORY A SIORIS - 1295
		•
RICHARD FEINER AND CO. INC.		Index #: 07 CV 11218
PI	laintiff(s)	
- aga ns:: -		Date Filed:
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	endant(s)	

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Larry Yee Notary Public, State of New York No. 01YE5015682 Qualified in New York County Commission Expires July 26, 2009

BYPAN E. MCELDERRY License #: 869802

UNITED STATES DISTRICT COURT/SOUTHERN DISTRICT OF NEV	/V YORK Attorney:	GREGORY A SIORIS - 1295
RICHARD FEINER AND CO. INC.	·	Index #: 07 CV 11218
	Plaintiff(s)	
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ALL CARE CAR SERVE

BYFAN E. MCELDERRY License #: 869802

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RICHARD FEINER AND CO. INC.

Index #: 07 CV 11218

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Defendant(s)

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BYRAN E. MCELDERRY License #: 869802 Docket #: 536129

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